

Corresponding Contract's Information: C/O Omega R. Wilson
West End Revitalization Association – WERA
PO Box 661 - 206 Moore Road
Mebane, NC 27302
Phone: (919) 321-1296 Email: wera1usa@earthlink.net

April 3, 2012

Official Administrative Complaint(s) and Public Comment(s)

Regarding: DRAFT of North Carolina Oil and Gas Study under Session Law 2011-276
(Prepared by the N.C. Department of Environment and Natural Resources, North Carolina Department of Justice, North Carolina Department of Commerce, and Rural Advancement Foundation International-USA). The 444 page report was prepared for consideration and approval by the North Carolina General Assembly by June 2012. The report has received overwhelming opposition in three public hearings attended by hundreds of citizens and land owners. Access the document on line at:
(http://portal.ncdenr.org/c/document_library/get_file?p_l_id=1169848&folderId=4241819&name=DLFE-49466.pdf).

Major Concerns: The preparers of the **DRAFT of North Carolina Oil and Gas Study under Session Law 2011-276** states: **"DENR recognizes that questions remain about health impacts."** **"Study Limitations: To our knowledge, no comprehensive studies are currently available on the long-- term impacts to health from hydraulic fracturing for natural gas, and DENR is not qualified to conduct such a study. ...These limitations carry over into the assessment of both potential economic and environmental impacts."** (See pages 1-2).

As related to Environmental Justice intra/interagency incorporation, review, compliance/enforcement of under Title VI of the Civil Rights Act of 1964, the National Environmental Protection Act (NEPA), and related Federal laws, statutes, and treaties, this statement of limitations of knowledge raises urgent and valid questions about the ability of DENR and other preparers of the DRAFT to present a credible Final document to the N.C. General Assembly. State agencies should encourage the efficient **development of adequate capacity and infrastructure** for the management of hydraulic fracturing fluids, including the transportation, recycling, treatment and disposal of source water and hydraulic fracturing wastes under the following EPA and interagency public health statutes that do apply: Clean Air Act; Clean Water Act; Safe Drinking Water Act; Toxic Substance Control Act; Solid Waste and Emergency Response Programs; Resource Conservation and Recovery Act; Emergency Planning and Community Right-to-Know Act; Federal Insecticide, Fungicide, and Rodenticide Act; Federal Food, Drug, and Cosmetic Act; Freedom of Information Act; and Tribal Programs.

The three state agencies (and one non-profit) who were directed by the legislature to prepare this 444-page document are addressed here:

Dee Freeman, Secretary (Failed to address laws that protect environmental health)
N.C. Department of Environment and Natural Resources
1601 Mail Service Center
Raleigh, NC 27699-1601

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J. Keith Crisco, Secretary (Failed to address laws that protect consumer rights)
North Carolina Department of Commerce
4324 Mail Service Center
Raleigh, NC 27699-4324

Attorney General Roy Cooper (Failure to address laws that civil/human minority rights)
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699-9001

Scott Marlow, Executive Director (Failed to address laws that protect rural/agriculture resources)
Rural Advancement Foundation International - USA
PO Box 640
Pittsboro, NC 27312

Official Administrative Complaint(s): The Federal and State Agencies addressed here are directly involved in the outcome of the North Carolina General Assembly legal and constitutional obligation to protection the citizens, taxpayers, voters, and their Environmental and public health and sustainable quality of life. The is submitted in order all of these agencies promptly exercise their constitutional obligation to incorporation and inclusion of Environmental Justice, Title VI of the Civil Right Act of 1964, the National Environmental Protection Act (NEPA), and related federal statutes that protection vulnerable populations in the State of North Carolina against immediate and long-term consequences of Oil and Gas Hydraulic Fracturing.

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Eric Holder, U.S. Attorney General
U.S. Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, DC 20044-7611

Governor Beverly Perdue
Office of the Governor
116 West Jones Street
Raleigh, North Carolina 27603

Lisa P. Jackson, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460